

RLI INSURANCE COMPANY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BIPINCHANDRA SHAH,

PETITIONER,

-against-

RLI PARTNERS, LIMITED, LIMITED
LIABILITY COMPANY "INVESTMENT
LOTTERY COMPANY", LIMITED LIABILITY
COMPANY "INVESTMENT FINANCIAL
COMPANY METROPOL and COMMERCIAL BANK
"OBI'EDINENNY INVESTITSIONNYI BANK"
LIMITED LIABILITY COMPANY,

RESPONDENTS.

BOND NO. **RSB 739383**

**UNDERTAKING ON
ATTACHMENT**

Case No. 08 Civ. 4446 (JES)

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED**
DOC #:
DATE FILED: 5/22/08

The above named Petitioner, BIPINCHANDRA SHAH, having applied to this Court, for an Order of Attachment against the property of the above named Respondents, LIMITED LIABILITY COMPANY "INVESTMENT FINANCIAL COMPANY METROPOL and COMMERCIAL BANK "OBI'EDINENNY INVESTITSIONNYI BANK" LIMITED LIABILITY COMPANY under and by virtue of Rule 64 of the Federal Rules of Civil Procedure and Article 62 of the Civil Practice Law and Rules, as more fully set forth in the order granted by the Hon. John E. Sprizzo on May 15, 2008 under and by virtue of the Federal Rules of Civil Procedure upon the posting of an undertaking in the sum of TEN THOUSAND AND 00/000 (\$10,000) DOLLARS.

NOW, THEREFORE, the **RLI INSURANCE COMPANY**, having an office and principal place of business for the state of New York, at Three Franklin Square, Suite #6, Saratoga Springs, NY 12866, as Surety, does hereby undertake in the sum of TEN THOUSAND AND 00/000 (\$10,000) DOLLARS, which is the total amount of undertaking as fixed by the Court pursuant to Statute to be given by the Petitioner on said application, that Petitioner, BIPINCHANDRA SHAH, shall pay all legal costs and damages which may be sustained by reason of the attachment if the Respondents recover judgment or if it is finally decided that the Petitioner was not entitled to an attachment of the property of said Respondents; and the balance thereof conditioned that the Petitioner shall pay to the U.S. Marshall or any Sheriff of the State of New York all of his allowable fees.

PROVIDED, HOWEVER, that the liability of the **RLI INSURANCE COMPANY** on this Undertaking shall not in any event exceed of the aforesaid fixed total amount.

Dated, May 22, 2008.

APPROVED J. MICHAEL McMINN
CLERK

RLI INSURANCE COMPANY

By

WILLIAM J. PEDERSEN
ATTORNEY-IN-FACT

BY DAVID J. THOMAS
DEPUTY CLERK
5/22/08



Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **RLI Insurance Company**, an Illinois corporation, does hereby make, constitute and appoint:
Carolyn Offenhartz, William J. Pedersen, jointly or severally,

in the City of New York, State of New York its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

Any and all bonds provided the bond penalty does not exceed Twenty Five Million Dollars (\$25,000,000.00).

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The **RLI Insurance Company** further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of **RLI Insurance Company**, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the **RLI Insurance Company** has caused these presents to be executed by its Vice President with its corporate seal affixed this 10th day of April, 2008.



RLI Insurance Company

By: [Signature]
 Roy C. Die Vice President

State of Illinois }
 County of Peoria } SS

CERTIFICATE

On this 10th day of April, 2008, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of **RLI Insurance Company**, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** this 10th day of April, 2008.

By: [Signature]
 Jacqueline M. Bockler Notary Public

RLI Insurance Company

By: [Signature]
 Roy C. Die Vice President





RLI Insurance Company
P.O. Box 3967 Peoria IL 61612-3967
Phone: 309-692-1000 Fax: 309-692-8637

RLI Insurance Company

December 31, 2007

Admitted Assets

Investments:	
Fixed maturities	\$ 554,826,330
Equity securities	699,125,363
Short-term investments	33,799,413
Real estate	6,174,137
Cash on hand and on deposit	-4,655,818
Other invested assets	0
Receivables for securities	1,710,930
Agents' balances	33,873,966
Investment income due and accrued	7,338,257
Funds held	4,000
Reinsurance recoverable on paid losses	14,984,528
Federal income taxes receivable	1,385,987
Electronic data processing equipment, net of depreciation	638,781
Receivable from affiliates	144,304
Other admitted assets	2,536,924
Total Admitted Assets	\$ 1,351,885,102

Liabilities and Surplus

Liabilities:	
Reserve for unpaid losses and loss adjustment expenses	\$ 341,640,775
Unearned premiums	139,049,214
Accrued expenses	53,574,246
Funds held	537,795
Advance premiums	3,954,125
Amounts withheld	13,934,729
Ceded reinsurance premium payable	8,941,408
Payable for securities	0
Statutory penalties	903,200
Federal income tax payable	7,935,766
Borrowed money and accrued interest	28,022,985
Drafts outstanding	0
Payable to affiliate	0
Other liabilities	1,386,534
Total Liabilities	\$ 599,880,777
Surplus:	
Common stock	\$ 10,000,375
Additional paid-in capital	242,451,084
Unassigned surplus	499,552,866
Total Surplus	\$ 752,004,325
Total Liabilities and Surplus	\$ 1,351,885,102

State of Illinois

County of Peoria

The undersigned, being duly sworn, says: That he is the President of **RLI Insurance Company**; that said Company is a corporation duly organized, in the State of Illinois, and licensed and engaged in business in the State of New York and has duly complied with all the requirements of the laws of said State applicable of said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under the Act of Congress approved July 1947, 6U.S.C sec. 6-13; and that to the best of his knowledge and belief the above statement is a full, true, and correct statement of the financial condition of the said Company on the 31st day of December 2007.

Attest:



{ Corporate
Seal
Affixed }

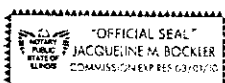
Michael J. Stone

President

Cynthia S. Dohm

Assistant Secretary

Sworn to before me this 14th day of February, 2008.



{ Notarial
Seal
Affixed }

Jacqueline M. Bockler

Notary Public, State of Illinois

M0058208